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DE RUEHPE #1156 0822248
ZNY CCCCC ZZH
P 232248Z MAR 06
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC PRIORITY 9380
INFO RUEHQT/AMEMBASSY QUITO PRIORITY 0154
RUEHLP/AMEMBASSY LA PAZ MAR 3143
RUEHCV/AMEMBASSY CARACAS PRIORITY 9209
RUEHSG/AMEMBASSY SANTIAGO PRIORITY 0327
RUEHBU/AMEMBASSY BUENOS AIRES PRIORITY 2311
RUEHBO/AMEMBASSY BOGOTA PRIORITY 3152
RUEATRS/DEPT OF TREASURY WASHDC PRIORITY
RUCPDO/DEPT OF COMMERCE WASHINGTON DC PRIORITY

C O N F I D E N T I A L LIMA 001156

SIPDIS

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DEPT FOR WHA/AND, WHA/EPSC, EB/IFD/OFD, EB/CBA, EB/IFD/OIA
DEPT PASS TO USTR - BHARMAN
COMMERCE FOR 4331/MAC/WH/MCAMERON
TREASURY FOR OASIA/INL

E.O. 12958: DECL: 03/23/2016
TAGS: [EFIN](#) [ETRD](#) [EINV](#) [PE](#)
SUBJECT: NEW DEVELOPMENT IN GE CASE

REF: LIMA 126

Classified By: AMBASSADOR J. CURTIS STRUBLE FOR REASONS 1.4 (B) AND (D)

¶1. (SBU) The Ambassador, during a March 21 meeting with Disputes Coordinator Aurelio Loret de Mola, raised the General Electric case. He noted that the U.S. company feared that the First Criminal Court of Appeals would overturn the Summer Court of Appeal's January ruling upholding the lifting of the international arrest warrants against GE executives (reftel). Loret de Mola predicted that because one of the Appeals Court judges was not properly notified, it was likely that the Appeals Court, which does not tend to rule on constitutional issues but on procedural issues, would overturn the decision. However, Loret de Mola was confident, after speaking with several Constitutional Tribunal Justices, that the remaining habeas corpus petition in front of the Constitutional Tribunal would be decided in favor of the company.

¶2. (SBU) General Electric representatives informed us March 23 that the First Criminal Court of Appeals overturned the previous decision. The Court is scheduled to hear the case on March 27. According to Buck DeWolfe, GE's Legal Counsel, after the December 27 the Constitutional Court ruling, the Prosecutor's office was to review the GE file to determine whether there was a basis to reinstate the investigation. The Prosecutor's office has since returned the file to the original judge, Herrera Cassina, who should turn the file over to the Court of Appeals. GE believes that the file is still with Judge Cassina and that he may hold onto the file and reopen the investigation.

¶3. (C) Comment: If the case is reopened and Judge Cassina claims that there is evidence to reinstate the arrest warrants, GE contends that warrants could be issued as early as April 6. Post does not believe that this is a likely scenario. If new warrants are issued, Post would repeat what we successfully did in the past to prevent notification to Interpol. The Chief of Police and the Interior Minister would once again be key allies. End Comment.
STRUBLE